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April 21, 2025

Via ECF

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court
Mitchell H. Cohen U.S. Courthouse
400 Cooper Street, 4th Floor
Camden, New Jersey 08101

**Re: Daryl Fred Heller; Chapter 11; Case No. 25-11354 (JNP);
Adv. Pro. No. 25-01118 (JNP) STATUS LETTER**

Dear Judge Poslusny:

As Your Honor is aware, this firm represents Daryl Fred Heller, the Chapter 11 debtor and debtor-in-possession (the “Debtor”) in the above referenced matter. The purpose of this letter is to provide Your Honor with a status update of the adversary proceeding captioned *Heller v. Austin Business Finance, LLC*, bearing Adv. Pro. No. 25-01118 (JNP) (the “Austin Business Adversary Proceeding”). Per Your Honor’s instructions, the Debtor submits this letter in lieu of an appearance on April 22, 2025.

On August 20, 2024, Austin Business Finance, LLC (“Austin Business”) filed its Original Petition in the District Court of Williams County, Texas bearing Case No. 24-1799-C480 (the “Texas Litigation”) against Heller Capital Group, LLC, Blackford Holdings, LLC, Blackford ATM Ventures, LLC, Powerqwest Financial, LLC, Powerpoint, LLC, and Daryl Heller (collectively, the “Heller Parties”) for monetary relief of more than \$250,000. The Heller Parties filed a counterclaim against Austin Business. Austin Business filed its answer to the counterclaim.

On March 17, 2025, the Debtor filed a Notice of Removal for the Austin Business Adversary Proceeding. Adv Pro. ECF 1. On March 18, 2025, the Debtor served a Notice of Removal to Austin Business and Honorable Terence M. Davis, notifying both of the bankruptcy filing and the automatic stay of the Texas Litigation.

The Debtor filed a Suggestion of Bankruptcy in the Texas Litigation on February 11, 2025, which notified the court that the automatic stay applies to claims against the Debtor in the Texas Litigation. I have reached out to counsel who represents Austin Business in the Texas Litigation for comment on this letter. I have not heard back from counsel.

If Your Honor should require additional information, please advise and we will provide such further information. I thank the Court for its courtesies.

Respectfully submitted.

/s/ Sari B. Placona

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